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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/083,785	02/25/2002	Howard W. DeMoore	4040-02800	5468

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EXAMINER

CRENSHAW, MARVIN P

ART UNIT	PAPER NUMBER
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2854

DATE MAILED: 12/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/083,785

Applicant(s)

DEMOORE ET AL.

Examiner

Marvin P. Crenshaw

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NW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on the amendment filed 9/22/03.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 and 37 is/are rejected.
- 7) ☒ Claim(s) 36 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 36 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 36, it uses the phrase "and is manufactured by the Komori Corp." This language does not clearly set forth any steps. Appropriate correction is required.

Allowable Subject Matter

Claim 36 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance:

With respect to claim 36, the prior art does not teach or render obvious the total combination as claimed including means for releasably attaching comprising a take up reel.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 – 10 and 13 – 35 and 37 are rejected under 35 U.S.C. 102(b) as being anticipated by DeMoore et al (5,907,998).

DeMoore et al. teaches an integrated, anti-marking cover (Fig. 3) for a transfer cylinder in a rotary printing press comprising a flexible jacket (58) covering permanently attached to a cylinder base cover.

With respect to claim 2, the integrated cover (Fig. 3) wherein the flexible jacket covering and cylinder base are aligned and permanently attached along their edges.

With respect to claim 3 and 31, the integrated cover (Fig. 3) wherein the flexible jacket covering and cylinder base cover are permanently attached (Col. 13, lines 1 - 5) along their edges by means for permanently attaching.

With respect to claim 4 and 32, the integrated cover wherein means for permanently attaching include adhesives (See col. 13, lines 1 - 5).

With respect claim 5 and 33, the integrated cover (Fig. 2) wherein the flexible jacket covering is sized such that in areas not permanently attached to the cylinder base cover, a predetermined amount of movement (See col. 10, lines 61 - 65) of the flexible jacket covering is permitted relative to the cylinder base cover.

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With respect to claim 6 and 34, the integrated cover (See col. 10, lines 61 - 65) wherein movement in the weft direction is about 1/16 to 4 inches (1.6 to 101.6 mm) and movement in the warp direction is about 1/32 to 1 inch (0.8 to 25.4 mm)

With respect to claim 7 - 9, the integrated cover wherein the cylinder base cover is conductive (See Col. 11, lines 37 - 39).

With respect to claim 10, the integrated cover wherein the conductive cylinder base cover further comprises a layer of PTFE (57) adhered to a layer of polyester (See col. 8, lines 59 - 65), the PTFE layer facing the flexible jacket.

With respect to claim 13, the integrated cover further comprises at least one hole (Fig. 9) therein.

With respect to claim 14 - 17, the integrated cover wherein the flexible jacket covering comprises a flexible fabric material having spaced conductive strands (Fig. 14).

With respect to claim 18 - 21, the integrated cover further comprising means (52 and 54) for releasably attaching the integrated cover to the transfer cylinder.

With respect to claim 22, the integrated cover wherein the releasably attaching means includes adhesive (59 and 61).

With respect to claim 23 - 26, the integrated cover further comprising means (110) for aligning the integrated cover for attachment to the transfer cylinder.

With respect to claim 27, the integrated cover wherein the alignment means (110) are contrasting alignment stripes in the flexible jacket covering.

With respect to claim 28, the integrated cover wherein the alignment means (See col. 8, lines 7 - 12) further comprise at least one center alignment mark on the gripper edge, the tail edge or both.

With respect to claim 29, the integrated cover wherein the contrasting alignment stripes are the conductive strands (Fig. 14).

With respect to claim 30, a method of manufacturing an integrated anti-marking cover (Fig. 3) for a transfer cylinder in a rotary printing press, comprising permanently attaching a flexible jacket (58) covering to a cylinder base cover.

With respect to claim 35, a method for attaching an integrated anti-marking cover (Fig. 3) to a transfer cylinder in a rotary printing press, comprising supplying an integrated cover comprising a flexible jacket (58) covering permanently attached to a cylinder base cover and releasably attaching (Col. 13, lines 1 - 5) the integrated cover to the transfer cylinder using means for releasably attaching.

With respect to claim 37, a method for supporting a processed substrate in a rotary printing press (Fig. 1) comprising supplying an integrated, anti-marking cover (Fig. 3) comprising a flexible jacket covering (58) permanently attached (See col. 13, lines 1 - 5) to a cylinder base cover, releasably attaching (52 and 54) the integrated cover to the transfer cylinder using means for releasably attaching and operating the printing press to process substrates, the substrates being supported by the integrated cover during the operation of the printing press.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over DeMoore et al. in view of Okuda et al.

DeMoore et al. teaches all that is claimed in the above rejection as discussed in claims 1 – 10, 13 – 35 and 37, except for the integrated cover wherein the PTFE layer has a smooth surface portion.

Okuda et al. teaches a PTFE layer having a smooth (See Col. 6, lines 48 – 56) surface portion. It would have been obvious to modify the integrated cover of DeMoore et al. to have a PTFE layer having a smooth surface portion as taught by Okuda et al. because it has a low coefficient of friction so that the cleaning blade can move smoothly to clean the cover.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over DeMoore et al. in view of Hannon.

DeMoore et al. teaches all that is claimed in the above rejection as discussed in claims 1 – 10, 13 – 35 and 37, except for the integrated cover wherein the PTFE layer has a textured surface.

Hannon teaches a PTFE layer having a textured (See Col. 3, lines 58 – 65) surface. It would have been obvious to modify DeMoore et al. to have an integrated cover wherein

the PTFE layer has a textured surface as taught by Hannon because the textured surface is very effective to retain print media thereon and therein.

Response to Arguments

Applicant's arguments filed September 22, 2003 have been fully considered but they are not persuasive. Specifically, DeMoore et al. meets the claimed language of having "permanent" attaching means. What applicant regards in the claim as "permanent" attachment means in the specification (See page 11, paragraph 0035) is met by DeMoore et al. He discloses in his application means for attachment (See Col. 13, lines 5 – 30), which is within the requirements of what applicants, consider "permanent" attachment means.

Also, with regards to claim 36, applicant has not addressed what structure is required by the Komori Corp.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any


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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

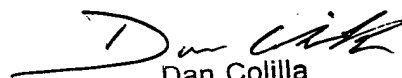
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marvin P. Crenshaw whose telephone number is (703) 308-0797. The examiner can normally be reached on Monday - Friday 7:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on (703) 305-6619. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



MPC
December 4, 2003



Dan Colilla
Primary Examiner
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